for them was the Education Department. But there was a rule that no fresh appointments should be made in that department, till all the acting hands were absorbed. So long as that rule was in force, the members of the depressed classes could not hope to get into the department. Hence they should be exempted from the operation of the order in question. Public opinion in the country was in favour of such a course of action. At the last session of the Legislative Council, some members also had urged the need for exempting the members of the depressed classes from the above order. Hence the Government should issue the necessary orders in the matter and arrange for Parayas who had passed the VII class being appointed as teachers from the beginning of the next school year.

A Paraya should be nominated to the Legislative Council with a view to introducing a Bill, regulating succession and inheritance among the Parayas and other social legislation.

DEWAN'S REPLY: നിങ്ങൾ പറഞ്ഞിട്ടുള്ള മൂന്ന പ്രായിൻറുകളെ (points) സംബന്ധിച്ചും ഗവർമെൻറിൽ നിന്നും ആലോചിക്കാം.

[Government will consider the three points urged in your representation.]

159. Needs of the Muslims.

MR. N. ABDUR RAHIMAN SAHIB (*Nominated*) said that the Muslim community, which he represented, deserved a more equitable treatment in the matter of appointments. There were some departments which were thrown open to all classes of people, like the Development Departments *viz.*, the Industries, Agriculture and Fisheries, and Co-operative, where the Muslims were completely eschewed as it were. In the Co-operative Department, for instance, there was only one Muslim Inspector, though there was ample scope for the appointment of Muslims. The Government should consider the claims of the Muslim candidates at the time of the next recruitment.

The Government had accepted the principle of communal representation in the matter of appointments and had also issued various G. O's and circulars to the heads of departments on the subject. But they did not bestow sufficient attention on the enforcement of their orders. Out of the 125 graduates in the Huzur Office, there were only three Muslim graduates. So also there were only two Muslim graduates in the Account Office. Recently when two new Secretaries were recruited to the Huzur Office, one from the Roman Catholic community and another from the Ezhava community were selected for appointment, but the claims of the Muslim community were overlooked. At least when the next vacancy arose, the community should not be ignored. The Muslims were most inadequately represented in the Revenue Department. There was only one Muslim among the 400 *Proverthicars* in the department. This was not surely due to lack of qualified Muslim applicants for the post. The Government or the department could have appointed one Muslim *Proverthicar* in each taluk or one at least in each

Division. This injustice should be remedied. There was not a single Muslim Tahsildar. In the Education Department also, the lot of the Muslims was pitiable. It was true that there was a Muslim Demonstrator in Physics, a Mahomedan Inspector and a number of Arabic *Munshies*. The pay of the Koran teachers, who get a pittance of Rs. 10 per mensem was very low, worse than that of a peon who has a scale up to Rs. 11. The Malayalam *Munshies* were decently paid and the V. S. L. C. holders were paid Rs. 14 per mensem. The pay of the Koran teachers should be raised at least to Rs. 14 per mensem. It was years since any Muslim V. S. L. C. holder or Vernacular Higher trained man was appointed to the teacher's grade in the department. The Muslims should be exempted from the operation of the order prohibiting fresh appointments in the department till the confirmation of the acting hands. Again, there was not a single Muslim graduate teacher in the department and the only undergraduate Muslim teacher, posted at Kottarakara, was not given his legitimate promotion. There was, however, one gratifying feature, *viz.*, the proposal to appoint a committe to formulate measures for meeting the claims of all communities in the matter of appointments. The committee should be so constituted as to have a clear majority to support the principle of communal representation in public service.

The member next spoke about the necessity for giving better representation to the Muslims in public bodies. At present there was only one nominated Muslim member in the Legislative Council. Though there was one elected member this time, it was not likely that the Muslims would be returned to the Council by election. Hence two Muslims should be nominated to the Legislative Council. Six Muslims should be nominated to the Sri Mulam Popular Assembly, instead of four Muslims as at present. One more Muslim Judge, from among the local merchants, should be nominated to the local Panchayat Court.

Lastly, the member spoke about the necessity for the removal of the Koran from the law courts. Swearing upon the Holy Koran was objectionable according to the tenets of Islam. Further, there was a sentimental objection in touching the sacred book without performing ablutions. The Civil Courts Guide had, however, provided that, if anybody raised objection to swear upon the book, solemn affirmation would do, and that in the case of swearing upon the Koran, the book would be handed over to the witnesses by a Musalman peon of the Court. But there were not Musalman peons in all the courts and what actually happened was that as soon as a witness or party entered the box to give evidence, the process server would hand over the book to the party and the Bench Clerk would compel him to swear by the book. The parties being illiterate in the majority of cases, would implicitly obey the instructions of the Bench Clerk and the court would rarely enquire whether the witness had any objection to swear by the book. This was quite unsatisfactory ; and to remedy the evil, the copies of Koran should be removed from the law courts. To a similar representation in the 23rd session of the Assembly, the Dewan had promised to

remove the books from the courts if there was no call for them for three years. That period would elapse this year. In Cochin, in pursuance of a resolution adopted in the Legislative Council, the copies of the Koran had been removed from the courts. The Travancore Government should follow the same example.

DEWAN'S REPLY: As regards the last point that you mentioned, you must remember that a particular form of solemn affirmation is provided for in order to make the ordinary man more careful as to what he says in the witness box and make him understand that there is a solemnity attached to what he says in courts, so that, if he has a tendency to deviate a little from the truth, that might be checked and in cases where he is indefinite and vague, he might be reminded that he has to make very careful statements. Among the people generally, the underlying idea is that solemnity is added to a statement if it is made after affirmation upon some solemn book. Different communities have different books, such as the Bible for Christians, the Ramayana for Hindus and the Holy Koran for Mahomedans. Mahomedans raised certain complaints that the Koran should not be touched by a person without performing certain ablutions. Government, in consultation with the High Court, passed orders to see that those conditions are satisfied; and it was also ordered that, if there was no call for the Holy Koran from Mahomedan witnesses or parties for a fixed period, then Government will see that the Holy Koran is not kept in the courts. As a matter of fact, two years have now passed. You know that under the law it is not absolutely necessary to swear on the Koran. A solemn affirmation would be sufficient. As a matter of fact, it was found that, in a large percentage of cases, the Koran was given and the oath was taken on it. There are sufficient rules in regard to the taking of oath. You say that, in some cases, the rules are not properly followed. When such a case exists, you must make a complaint and see that the rules are rigidly adhered to. If, after another three years, during which I shall order the watch being continued in this matter, the report comes that only in a small percentage of caes the book was called for, then the question of removing the book will be considered.

MEMBER: The witness is compelled to swear on it. It is not a question of calling for it.

DEWAN: If you are there, then you must see that illegal compulsion is not used.

MEMBER: That is only used among illiterate people.

DEWAN: Even if it is a hostile witness, you must understand that the general idea is that, when a man swears on the Holy Koran, he will speak the truth. That is a question of sentiment too.

Then as regards the point about public service, as you yourselves say, there is to be a committee which will go into the whole question; and when their report is received, Government will consider that.

In regard to nominations, there is the power of nomination reserved with Government. They always use that power in favour of communities which for some reason or other do not get adequate

representation, of course having regard to all communities that are similarly placed. It is only after a full consideration of the claims of the backward and unrepresented communities, that the power of nomination is exercised. In the matter of nominations to the Legislative Council, the same principle will be followed.

160. Needs of the Muslims.

MR. V. BAPOO VYDIAR (*Nominated*), speaking in Malayalam first thanked the Government for nominating him as a member of the Assembly to represent the Muslim community.

Passing on to his subject, the member said that the copies of the Koran kept in the law courts should be removed. It was against the tenets of his religion to allow the sacred book to be in the possession of strange hands, unused, as well as to swear by it. The practice by which the Government forced the Muslims to swear by the Holy Koran caused much heart-burn to the members of his community. This unwholesome practice was once prevalent in the Cochin State also. But the practice was recently abolished and all copies of the Koran had been removed from the law courts there. Similarly, the Travancore Government should immediately arrange for the removal of the copies of the Koran from the courts and thereby redress the grievance of the community in the matter.

The member next urged the necessity for having a permanent Muslim Hostel at Trivandrum. The Muslim students attending the Colleges, who had come from outside, were living in rented buildings. It was true that the Government were giving a small grant to a Muslim Hostel conducted by the Alleppey Lajnathul Muslim Association. But there was no convenience for the students residing there. Hence the Government should grant land and other concessions for the establishment of a permanent Muslim Hostel at Trivandrum.

Though the Government had allowed many concessions to the Muslims in the matter of education, the community had not advanced much in education. Hence, at least for a specific period, compulsory education should be introduced among the Muslims. The additional expenditure, if any, the Government would have to incur on this account should not stand in the way, considering the substantial income the Government had derived and were deriving from the commercial undertakings started and carried on by the Muslim community in the State.

There were a large number of people, both men and women, who, though physically fit to work, were leading an idle life, earning their livelihood by begging. Their number was increasing daily. The growth in the number of these beggars should be checked by legislation or by other means.

As in the case of all the departments in the State service, the Muslims were inadequately represented in the Medical and